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FEDERAL COMMUNICATIONS COMMISSION
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March 1, 1999

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Toquerville, Utah.

Sincerely,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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Before the
FEDERAL COMMUNICATIONS COMMISSION MAR - 3 1999
 Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the matter of:)
)
 Amendment of Section 73.202 (b))
)
 Table of Allotments)
)
 FM Broadcast Stations)
)
 (Toquerville, Utah)

RM-_____

PETITION FOR RULE MAKING

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 280C (103.9 Mhz) to Toquerville, Utah as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 280C (103.9 Mhz) to Toquerville, Utah and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 280C to Toquerville will have.

DISCUSSION

2. Toquerville is located in Southwestern Utah. It is also located within Washington County, a county of some 48,560 persons. Toquerville has a population of 488 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 280C to Toquerville will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Toquerville is located at St. George, Utah. St. George is located 30 kilometers from Toquerville.

It is obvious that from the above spacing that Toquerville is presently without local FM service.

4. Toquerville would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 30 Kilometers of Toquerville. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Toquerville area of emergency conditions caused by severe weather or other health hazards.

5. Channel 280C can be allotted to Toquerville and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Toquerville, Utah	-----	280C

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 280C and the pertinent adjacent channels to 280C have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 37 - 15' - 12", W. 113 - 17' - 00") are that of a site located within the community of Toquerville. No site restriction will be required to allot channel 280C to Toquerville. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Toquerville. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Toquerville would benefit from the allotment of channel 280C. It has also been shown that channel 280C can be allotted to Toquerville and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 280C for Toquerville, Utah , 73.202.

8. Should channel 280C be allotted to Toquerville, I certify that I will file an application for a Construction Permit to operate an FM station for Toquerville, Utah.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 1, 1999

Respectfully submitted,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 280C (103.9 MHz), at N. 37 15 12, W. 113 17 0.

Searching Channel 280C (103.9 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Chino Valley	AZ	280	C3	U	289.0	237.0	165.7°	52.0
KPBZ	Chino Valley	AZ	280	C3	L	289.9	237.0	166.4°	52.9
ALC	Essex	CA	280	B	V	330.6	274.0	212.4°	56.6
NEW	Essex	CA	280	B	A	308.5	274.0	211.4°	34.5
ALC	Nephi	UT	280	C1	U	300.6	270.0	24.9°	30.6
KYKNFM	Nephi	UT	280	C1	L	299.0	270.0	23.0°	29.0
KYKNFM	Nephi	UT	280	C1	A	299.0	270.0	23.0°	29.0

FIGURE 1
TOQUERVILLE, UTAH
MOUNTAIN WEST BROADCASTING